

# REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, October 9, 2013, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Henry Fincher. Attending the meeting were board members Patricia Heim, Norma Lester, Darlene McNeece and Justin Pitt.

## ***Approval of Meeting Minutes***

On motion by Lester, seconded by McNeece, the board voted unanimously to approve the minutes from the August 21, 2013 regular board meeting.

## ***Requests for Reconsideration***

**13-45 Joe Armstrong**, for failing to report 7 PAC contributions on his 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Rep. Armstrong has had previous matters before the board.

The board voted at its June 12, 2013 meeting to issue Rep. Armstrong a show cause notice.

The board voted at its August 21, 2013 meeting to issue Rep. Armstrong a \$50 civil penalty. Rep. Armstrong requested a reconsideration of the \$50 civil penalty assessment.

Rep. Armstrong submitted a statement for the board's consideration.

On motion by Lester, seconded by Pitt, the board voted unanimously to reconsider the \$50 civil penalty assessment. On motion by Pitt, seconded by Lester, the board voted unanimously to set aside the \$50 civil penalty.

**13-48 G. A. Hardaway**, for failing to report 6 PAC contributions on his 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Rep. Hardaway has had previous matters before the board.

The board voted at its June 12, 2013 meeting to issue Rep. Hardaway a show cause notice.

The board voted at its August 21, 2013 meeting to issue Rep. Hardaway a \$50 civil penalty. Rep. Hardaway requested a reconsideration of the \$50 civil penalty assessment.

Rep. Hardaway personally appeared and submitted a statement for the board's consideration.

On motion by Pitt, seconded by Lester, the board voted unanimously to reconsider the \$50 civil penalty assessment. On motion by Pitt, seconded by Lester, the board voted unanimously to rescind the \$50 civil penalty.

## ***Show Cause Hearing***

***C13-01 Maintaining Our Majority***, for possible violation of the campaign financial disclosure law. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. The organization has had no previous matters before the board.

Director Rawlins provided the board with a sworn complaint filed with the Registry from Donna DeSopo against Maintaining Our Majority PAC.

The board voted at its August 21, 2013 meeting to issue the organization a show cause notice.

Debra Young Maggart and Lance Wray, representatives for the organization, personally appeared before the board.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no further action in this matter.

## ***Statement Submitted***

***13-67 Tennessee Federation of Democratic Women***, for failure to timely file a 2013 mid-year supplemental campaign financial disclosure report. Class one (1), 15 days late, maximum three hundred seventy-five (\$375) civil penalty. The organization has had no previous matters before the board.

The board voted at its August 21, 2013 meeting to issue the organization a show cause notice.

Vicky Harwell, treasurer for the organization, submitted a statement for the board's consideration.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no further action in this matter.

## ***Cross Indexing Show Cause Hearings***

***13-55 Susan Lynn***, for failing to report 4 PAC contributions on her 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Rep. Lynn has had previous matters before the board.

The board voted at its June 12, 2013 meeting to issue Rep. Lynn a show cause notice.

The board voted at its August 21, 2013 meeting to defer any further action in this matter until the next regularly scheduled meeting.

Rep. Lynn corrected her reports and submitted a statement for the board's consideration.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no further action in this matter.

***13-56 Debra Young Maggart***, for failing to report 4 PAC contributions on her 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar

(\$10,000) civil penalty per violation. Ms. Maggart has had a previous matter before the board.

The board voted at its June 12, 2013 meeting to issue Ms. Maggart a show cause notice.

The board voted at its August 21, 2013 meeting to defer any further action in this matter until the next regularly scheduled meeting to allow Ms. Maggart an opportunity to gather more information on the matter.

Ms. Maggart, along with Lance Wray, corrected her reports and personally appeared before the board to explain her failure to report the PAC contributions.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no further action in this matter.

**13-62 Judd Matheny**, for failing to report 7 PAC contributions on his 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Rep. Matheny has had previous matters before the board.

The board voted at its June 12, 2013 meeting to issue Rep. Matheny a show cause notice.

The board voted at its August 21, 2013 meeting to defer any further action in this matter until the next regularly scheduled meeting.

Rep. Matheny corrected his reports and submitted a statement for the board's consideration.

On motion by Pitt, seconded by McNeece, the board voted unanimously to take no further action in this matter.

**13-61 Phillip North**, for failing to report 4 PAC contributions on his 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Mr. North has had no previous matters before the board.

The board voted at its June 12, 2013 meeting to issue Mr. North a show cause notice.

The board voted at its August 21, 2013 meeting to defer any further action in this matter until the next regularly scheduled meeting.

Mr. North personally appeared before the board, corrected his reports and submitted affidavits for the board's consideration.

On motion by Heim, seconded by McNeece, the board voted unanimously to take no further action in this matter.

**13-64 Antonio Parkinson**, for failing to report 6 PAC contributions on his 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Rep. Parkinson has had no previous matters before the board.

The board voted at its June 12, 2013 meeting to issue Rep. Parkinson a show cause notice.

The board voted at its August 21, 2013 meeting to defer any further action in this matter until the next regularly scheduled meeting.

Rep. Parkinson corrected his reports and submitted a statement for the board's consideration.

On motion by Pitt, seconded by McNeece, the board voted unanimously to assess Rep. Parkinson a \$100 civil penalty. A motion was made by Heim, seconded by Lester, to reconsider the \$100 civil penalty and assess Rep. Parkinson a \$50 civil penalty assessment. The motion to assess Rep. Parkinson a \$50 civil penalty passed the board unanimously.

**13-63 Bill Sanderson**, for failing to report 4 PAC contributions on his 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Rep. Sanderson has had a previous matter before the board.

The board voted at its June 12, 2013 meeting to issue Rep. Sanderson a show cause notice.

The board voted at its August 21, 2013 meeting to defer any further action in this matter until the next regularly scheduled meeting.

Rep. Sanderson corrected his reports and submitted a statement for the board's consideration.

On motion by Heim, seconded by McNeece, the board voted unanimously to take no further action in this matter.

**13-65 Michael Sparks**, for failing to report 3 PAC contributions on his 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Rep. Sparks has had a previous matter before the board. (see below)

The board voted at its June 12, 2013 meeting to issue Rep. Sparks a show cause notice.

The board voted at its August 21, 2013 meeting to defer any further action in this matter until the next regularly scheduled meeting.

Rep. Sparks corrected his reports and submitted a statement for the board's consideration.

On motion by Heim, seconded by Lester, the board voted unanimously to assess Rep. Sparks a \$50 civil penalty.

### ***Contributions Received During Session Show Cause Hearing***

**13-43 Michel Sparks**, for possible violations of the campaign contribution limits law. Class two (2), maximum ten thousand (\$10,000) civil penalty. Rep. Sparks has had a previous matter before the board. (see above)

The board voted at its June 12, 2013 meeting to issue Rep. Sparks a show cause notice.

The board voted at its August 21, 2013 meeting to defer any further action in this matter until the next regularly scheduled meeting.

Director Rawlins informed the board that there has been no response to the show cause notice but that Rep. Sparks' report has been corrected.

On motion by Heim, seconded by McNeece, the board voted unanimously to take no further action in this matter.

### ***Sworn Complaints***

#### ***Bill Haslam***

Director Rawlins provided the board with a sworn complaint filed with the Registry from Chip Forrester against Gov. Bill Haslam.

On motion by Heim, seconded by McNeece, the board voted 3 to 1 to 1 to dismiss the complaint, with Fincher voting “no,” and Lester “abstaining.”

#### ***Freedom PAC***

Director Rawlins provided the board with a sworn complaint filed with the Registry from Richard Huffman against Freedom PAC.

On motion by Heim, seconded by Pitt, the board voted unanimously to dismiss the sworn complaint.

#### ***Preserve Brentwood***

Director Rawlins provided the board with a sworn complaint filed with the Registry from the following individuals against Preserve Brentwood:

- Don Robinson
- Thomas H. Carr, Jr.
- Nelson Andrews
- Dan Brodbeck
- Paul Cirulli
- H. Michael Hindman
- William E. McCarthy
- Wesley D. Lamoureux
- Gilbert B. Bosse, Jr.
- John Heibert
- Gilbert R. Walker
- James Selleh

On motion by Pitt, seconded by Lester, the board voted unanimously to dismiss the sworn complaint. On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice to Mark Gorman for possible failure to report campaign expenditures involved with Preserve Brentwood.

#### ***Preserve Brentwood***

Director Rawlins provided the board with a sworn complaint filed with the Registry from David A. Flow against Preserve Brentwood.

On motion by Pitt, seconded by Lester, the board voted unanimously to dismiss the sworn complaint. On motion by Pitt, seconded by Lester, the board voted unanimously to issue a show cause notice to Mark Gorman for possible failure to report campaign expenditures involved with Preserve Brentwood.

### ***Cases Considered for Issuance of Show Cause Notice***

***Stacey Campfield***, for possible violations of the campaign financial disclosure law. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Sen. Campfield has had no previous matters before the board.

Director Rawlins provided the board with Sen. Campfield's 2014 Early Mid-Year Supplemental disclosure report which showed an improper in-kind contribution. Director Rawlins informed the board that the Registry staff notified Sen. Campfield of the improper contribution but that it has not been corrected.

The board voted at its August 21, 2013 meeting, without objection, to put this item on the agenda for the next regularly scheduled meeting for possible show cause notice.

Director Rawlins informed the board that Sen. Campfield has corrected his campaign financial report by deleting the improper in-kind contribution.

On motion by Heim, seconded by McNeece, the board voted unanimously to take no further action in this matter.

***Brock Bennington***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Bennington has had a previous matter before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***Brian Brewer***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Brewer has had a previous matter before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***Tommie Brown***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Brown has had previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***Evelyn Gill***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Gill has had a previous matter before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***Bobby Scott***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Scott has had previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***Eric Stewart***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Stewart has had a previous matter before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***James Tapp***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Tapp has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***American Party***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***Common Sense Coalition PAC***, for failure to timely file a 2013 mid-year supplemental campaign financial disclosure report. Class one (1), eight days late, maximum two hundred (\$200) civil penalty. The organization has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***CVS Caremark Corp Employees PAC***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***East Shelby Republican Club***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***House Senate Democratic Caucus***, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

***Tennessee Realtors PAC***, for failure to timely file a 2013 mid-year supplemental campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. The organization has had previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

### ***Audit Review***

#### ***Tonya Miller***

On motion by Heim, seconded by McNeece, the board voted unanimously to approve Ms. Miller's 2012 campaign finance audit with no findings.

### ***Other Business***

Without objection, the board voted unanimously to schedule the next Registry meeting for November 13, 2013.

Without objection, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.